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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/397,325	09/16/1999	GENE W. ARANT		8607

33306 7590 11/21/2002

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EXAMINER

STONE, JONATHAN D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 11/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/397,325

Applicant(s)

ARANT, GENE W.

Examiner

Jonathan D Stone

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/16/99.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 26 March 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Application filed on 9/16/99.
2. IDS filed on 12/21/1999 (paper 2).
3. Preamendment A filed on 12/21/99 (paper 3).
4. Formal drawing filed on 3/26/01 (paper 5); the substitute drawings are accepted and fully considered herein.
5. Claims 1-5 are pending in the case. Claims 1, 2, and 5 are independent claims.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watts et al (herein known as Watts; USPN 3771156 – filing date 9/25/1972) in view of Meissen et al (herein known as Meissen; USPN 4320395 – filing date 3/10/1980) .

7. **Regarding independent claim 5**, Watts discloses (col. 3, lines 47-59) arranging a set of alphanumeric characters for display to a user (compare with “*providing a set...an input sequence;*”). Watts discloses (col. 2, lines 2-10) a user actuating a switch to select a desired

Art Unit: 2178

character (compare with "*selecting an information transfer location;*"). Watts discloses (col. 2, lines 2-16 and col. 4, lines 5-7) information items being sequentially displayed (compare with "*repetitively moving...the transfer location,*"). Watts also discloses (col. 4, lines 55-68) an information item which can be used to speed up or slow down the sequencing cycle, effectively determining the period of time an information item is illuminated (compare with "*and also visually...predetermined dwell time;*").

Watts does not explicitly disclose copying selected information at a transfer location during dwell time. However, Watts does disclose (Figure 2 and col. 3, lines 19-30) his invention as comprising a recording device, which may be any suitable recording device (compare with "*copying selected...dwell times;*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to use this recording device to record the information selected on the display screen. This would have served as a means of saving the selections and outputting them on another display or device.

Watts does not explicitly disclose arranging the information into an output sequence. However, Meissen teaches (abstract) displaying characters retrieved from an input unit on television-type display (compare with "*arranging the information...information body;*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Meissen's invention into Watts' invention. This would have used the copied selections as input to display, letting the user know what he or she has recently selected.

Art Unit: 2178

Watts also discloses (col. 4, lines 55-68) an information item which can be used to speed up or slow down the sequencing cycle, effectively determining the period of time an information item is illuminated (compare with "*adjusting either...transfer location*").

8. **Regarding independent claims 1 and 2**, the claims incorporate substantially similar subject matter as claim 5, and are rejected along the same rationale.

9. **Regarding dependent claims 3 and 4**, the claims incorporate substantially similar subject matter as claim 5, and are rejected along the same rationale.

10. Prior art made of record and not relied upon is considered pertinent to disclosure.

Gemell et al	U.S. Patent No. 4979094	issued 12/18/1990	filed 4/4/1988
Sakaguchi	U.S. Patent No. 4951033	issued 8/21/1990	filed 5/2/1987
Oguchi	U.S. Patent No. 4491834	issued 1/1/1985	filed 4/12/1984

Conclusion

11. Any inquiry concerning this communication from the examiner should be directed to Jonathan Stone, who can be reached by telephone at (703) 305-7854. Normal contact times are M-F, 8-5:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Heather Herndon, may be reached at (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Art Unit: 2178

12. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)

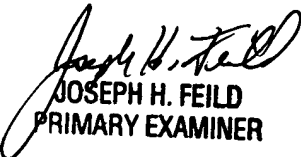
or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive
Arlington, VA, Fourth Floor (receptionist).

Jonathan D. Stone 10/30/02


JOSEPH H. FEILD
PRIMARY EXAMINER